

REMARKS

Claims 1-5 (1 independent claim, 5 total claims) remain pending in this application.

Applicants respectfully request reconsideration of the pending claims and submit the amendments place the application in condition for allowance in view of the following remarks.

Claims Rejected Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over Vieira (U.S. Patent 6,487,367 B2) in view of O’Neil (U.S. Patent 4,739,928). Applicants respectfully traverse the rejection.

Vieira does not disclose each and every element of the amended claims. Vieira discloses an evaporation device wherein the heating elements are connected to a switching device through which the temperature of the heating elements can be controlled. (See col. 3, lines 32-39). Nowhere does Vieira disclose that supply of the volatile substances to the wicks can be controlled, either via the switching device or any other mechanism.

Combination with O’Neil does not cure this deficiency, and in fact, would exacerbate the problem of control of volatile substance to the wick. O’Neil discloses the use of a pad to facilitate evaporation of volatile substances into the environment. Once a pad comes in contact with a wicking structure, regulating the rate of diffusion from the pad is controlled through other means. (See col. 5, lines 30-51). The forces of capillary action will continue to draw volatile substance into the wick and pad regardless of the status of the switching device of Vieira. As such, the flow of volatile substance to the wick is not and cannot be controlled through either of Vieira’s or O’Neil’s mechanisms.

In contrast, amended claim 1 provides “a controller configured to modulate the amounts of said first and second volatizable materials available to said first wick structure and said second

In contrast, amended claim 1 provides “a controller configured to modulate the amounts of said first and second volatizable materials available to said first wick structure and said second wick structure.” Consequently, none of the references cited by the Examiner alone or in combination disclose each and every element of amended claim 1. Applicants therefore respectfully request the withdrawal of all rejections of claim 1, and dependent claims 2-3 & 5 which depend therefrom.

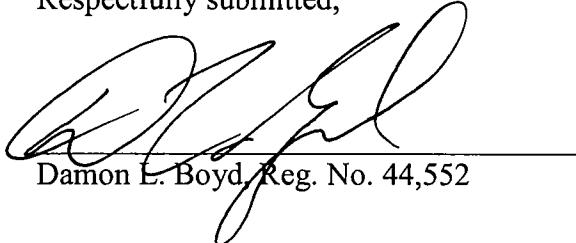
CONCLUSION

In view of the above remarks, Applicants respectfully submit that pending claims 1-5 properly set forth that which they regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at (602) 382-6337 at the Examiner's convenience, if that would help further prosecution of the subject Application. Applicants authorize and respectfully request that any fees due be charged to Deposit Account No. 19-2814.

This statement does NOT authorize charge of the issue fee.

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Respectfully submitted,



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